

PROPOSED AMENDMENTS TO PWCA REGULATIONS

Affected section: 1 CCR 1395

(Deletions are stricken and additions are underscored.)

1395. Standards and Qualifications

(a) Arbitrators shall have substantial experience in or directly related to public works construction projects, particularly large-scale complex projects with or on behalf of federal, state or local government agencies, and

(b) Extensive [E]xperience in the resolution as an arbitrator or adjudicator of disputes arising out of such projects is desirable. Knowledge necessary, as well as, knowledge of California construction law is necessary.

~~(b)~~ (c) The experience in subdivision (a) may be met by a combination of factors, which shall include any one or more of the following:

(1) Five or more years' experience at the managerial or supervisory level in public works construction contracting with extensive experience in the resolution of disputes arising out of public contract claims.

(2) Five or more years' experience as an attorney representing parties in ~~negotiating~~, litigating, or arbitrating public works construction contract claims.

(3) Five or more years' experience as a judge or arbitrator. This shall include extensive experience in adjudicating or otherwise resolving public works construction contract claims or other large-scale ~~and/or~~ complex commercial construction litigation.

~~(c)~~ (d) ~~Applicant qualifications~~ Applicants are evaluated on an individual basis by the Public Works Contract Arbitration Committee. The Committee has discretion to waive the experience and qualifications of in (a) ~~and/or~~ (b) on an individual's demonstration of equivalent experience and qualifications.